

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

United States Fire Ins. Co.,

NO. C 09-02388 JW

Plaintiff,

**ORDER VACATING CASE  
MANAGEMENT CONFERENCE**

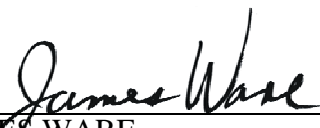
v.

Vesta Strategies, LLC, et al.,

Defendants.

This case is scheduled for an Case Management Conference on February 14, 2011. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Case Management Statement. (See Docket Item No. 202.) In their Statement, the parties indicate that Defendants have filed a Motion to Dismiss Counterclaim<sup>1</sup> which is set for hearing on March 7, 2011. In light of the pending Motion, the Court finds that a Conference is premature at this time and thus, the Court VACATES the Conference. The Court will set a new conference date in its Order addressing the pending Motion to Dismiss, if necessary.

Dated: February 9, 2011

  
JAMES WARE  
United States District Chief Judge

<sup>1</sup> (See Docket Item No. 201.)

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

Andrew B. Downs andy.downs@bullivant.com  
Becki F. Kieffer lisa.golden@troutmansanders.com  
Charles Edward Wheeler cwheeler@cozen.com  
Eileen King Bower eileen.bower@troutmansanders.com  
Erik Fuehrer erik.fuehrer@dlapiper.com  
James David Roberts jroberts@chennelsonroberts.com  
John R. Gerstein jack.gerstein@troutmansanders.com  
Kevin Richard Martin kevin@pattonmartinsullivan.com  
Michael Gerald Schwartz michael.schwartz@dlapiper.com  
Norman Jorgen Ronneberg norman.ronneberg@bullivant.com  
Patric J. Kelly pjkelly@ahk-law.com  
Peter Roldan peter.roldan@bullivant.com  
Peter Laurence Candy plcandy@hbsb.com  
Robert Louis Brace rlbrace@hbsb.com  
Shawn Robert Parr shawn@parrlawgroup.com

**Dated: February 9, 2011**

**Richard W. Wieking, Clerk**

By: /s/ JW Chambers  
**Elizabeth Garcia**  
**Courtroom Deputy**